

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John O. Ryan

Assignee: Command Audio Corporation

Title: A METHOD AND SYSTEM FOR INFORMATION DISSEMINATION  
USING VARIOUS MODES OF TRANSMISSION

Serial No.: 08/977,846

Filed: November 25, 1997

Examiner: B. Gregory

Group Art Unit: 2766

Docket No.: M-2338-3C US

San Jose, California

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D. C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION OVER A PATENT**

Sir:

Petitioner, Command Audio Corporation, a California corporation having a place of business at 101 Redwood Shores Parkway, Suite 100, Redwood City, CA 94065 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,751,806 and/or Patent No. 5,406,626. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Terminal  
Disclaimer  
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In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. §1.20(d), the commissioner is authorized to charge the fee of \$110.00 to Deposit Account No. 19-2386 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he/she is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington, D.C. 20231,

on March 15, 1999

Norman R. Klivans March 15, 1999  
Attorney for Applicant(s) Date of Signature

Respectfully submitted,

Norman R. Klivans  
Norman R. Klivans  
Attorney for Applicant  
Reg. No. 33,003